

**UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

CHERYL BESSER, individually and  
on behalf of all others similarly  
situated,

Case No.: 2:13-cv-11564

Plaintiff,

Honorable Bernard A. Friedman

v.

TCF NATIONAL BANK,

Defendant.

---

**ORDER DISMISSING ACTION WITH PREJUDICE**

AND NOW this 9<sup>th</sup>. day of January 2014, upon consideration of the parties' Stipulation of Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A) and Rule 23(e) and in accordance with the parties' Stipulation of Dismissal and Confidential Settlement Agreement and Release ("Settlement Agreement"), it is

HEREBY ORDERED, ADJUDGED and DECREED as follows:

1. The above-captioned action is dismissed with prejudice as to Plaintiff Cheryl Besser's individual claims, including all claims that were brought or could have been brought by Plaintiff, with each Party to bear its own costs except as provided in the Settlement Agreement.
2. The above-captioned action is dismissed without prejudice as to the claims of the putative class members.

3. The Court retains jurisdiction over the parties and the above-captioned action with respect to the interpretation and enforcement of the Settlement Agreement.
4. The Clerk shall mark this case as CLOSED.

January 9, 2014

s/ Bernard A. Friedman  
U. S. District Court Judge